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**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

JEFFREY MITCHELL,
Plaintiff,

v.

M. JUSTUS,
Defendant.

Civil Action No. 7:06-cv-00318

FINAL ORDER

By: Hon. Jackson L. Kiser
Senior United States District Judge

In accordance with the Memorandum Opinion entered this day, it is hereby

ADJUDGED AND ORDERED

that this action is **DISMISSED** without prejudice pursuant to 28 U.S.C. § 1915A(b)(1); all other pending motions are hereby **DENIED** as **MOOT**; and this case is **STRICKEN** from the active docket of the court.

The Clerk of the Court is directed to send a certified copy of this Order to the plaintiff.

ENTER: This 6th day of June, 2006.

Senior United States District Judge